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International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Sixtieth session
4-22 March 2002

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of Racial Discrimination*

TURKMENISTAN

1. At its 1507th meeting, held on 12 March 2002 (see CERD/C/SR.1507), the Committee reviewed the implementation of the Convention by Turkmenistan based on a variety of materials from both intergovernmental and non-governmental sources. The Committee notes that Turkmenistan does not have any representation in Geneva, but nevertheless regrets that the State party was not able to respond to its invitations to participate in the meeting and furnish relevant information. The Committee notes with concern that Turkmenistan, which acceded to the Convention in 1994, has not yet reported to the Committee. It wishes to draw to the attention of the State party that reporting is an obligation under article 9 of the Convention, and that non-compliance in this regard creates serious obstacles to the effective functioning of the monitoring system set up by the Convention.

2. Although Turkmenistan has ratified the main international instruments in the field of human rights, it has not reported to any United Nations treaty body. The State party, moreover, has not responded to communications sent by special rapporteurs of the Commission on Human Rights.

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3. The Committee expresses deep concern about grave allegations of human rights violations in Turkmenistan, both in the civil and political, as well as social, economic and cultural domains and, in connection with article 5 of the Convention, would like to receive more information from the State party on these matters.

4. In particular, the Committee is concerned about alleged discrimination affecting persons belonging to minorities in the fields of employment and education, as well as with respect to the freedom of thought, conscience and religion. The Committee received information alleging that the State party's present policy of promotion of Turkmen identity leads to discrimination against persons not of Turkmen ethnicity.

5. The Committee further notes with deep concern that, according to information received, only the Russian Orthodox Church and the Sunni branch of Islam enjoy legal status, while other confessions are denied registration by the State party and their members are subject to increased persecution, such as disruption of religious services, including in private homes, prohibition of literature, detentions and ill-treatment of religious leaders, destruction of places of worship and restriction of freedom of movement imposed on religious leaders, which may be in contravention with article 5 of the Convention.

6. The Committee draws the attention of the State party to the provisions of the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, according to which the International Convention on the Elimination of All Forms of Racial Discrimination is the principal international instrument for the elimination of racism, racial discrimination, xenophobia and related intolerance and States are urged to cooperate with the Committee in order to promote the effective implementation of the Convention.

7. The Committee strongly urges the Government of Turkmenistan to avail itself of the technical assistance offered under the advisory services and technical assistance programme of the Office of the United Nations High Commissioner for Human Rights, with the aim of drawing up and submitting as soon as possible a report drafted in accordance with the reporting guidelines. In this regard, the Committee wishes to draw the attention of the State party to its general recommendation X concerning technical assistance. The Committee suggests that the State party respond positively to the proposal made by the High Commissioner for Human Rights in February this year relating to the conduct of a human rights needs assessment in Turkmenistan. The aim of such an assessment is to formulate a programme to assist the State party in developing its national capacities to promote and protect human rights.

8. The Committee decided that a communication should be sent to the Government of Turkmenistan setting out its reporting obligations under the Convention and urging that the dialogue with the Committee start as soon as possible.